

Would You Allege Aggravated Circumstances?

Directions: work with your small group to determine whether each case does or does not involve aggravated circumstances.

Jennifer:

Jennifer is a 21-year-old with a diagnosis of schizophrenia who just gave birth to a baby boy. She has a history of beating her first son severely. Two years ago, after placing her first son in foster care, the county agency filed a petition with the court for an involuntary termination of parental rights. The court terminated Jennifer's parental rights and the child was adopted. Jennifer has not been taking medication because of her pregnancy. She was severely abused physically and sexually as a child by her father. She has stated that she hates males and believes they are all "the devil." Hospital staff are requesting intervention.

Lisa:

Lisa is the 26-year-old mother of Nancy, age eight. Neighbors have reported to the county agency that Nancy is left alone for many hours in the apartment when Lisa goes out to search for drugs. The last time this occurred, a neighbor heard crying from inside the apartment. When they knocked at the door, Nancy reported that she had not seen her mother since last evening. Lisa has since returned home to find Nancy gone, unaware that she was taken into custody by the county agency.

Jack:

Jack is a three-year-old child who has been in a foster home for the past year with a permanency goal of reunification. The child was placed due to parental neglect. The mother is not a resource and her whereabouts are unknown. A neighbor phones the county agency alleging that the father is known in Colorado because he killed another child. The caseworker requests that the father get an FBI clearance after learning that the family had, in fact, lived in Boulder, Colorado. The Colorado child welfare agency was contacted and verified, in writing, that the father was responsible for the starvation death of a sibling and had served time for it. Three weeks later the FBI clearance comes back and shows the conviction for the sibling's death.

Would You Allege Aggravated Circumstances? (continued)

Malcolm:

Malcolm is the 35-year-old uncle of 11-year-old Desiree. Desiree reported to her teacher that her uncle, with whom she lives, shows her his "private parts" when they watch movies together. The school has reported this incident to the county agency. Upon investigation, it is discovered that on multiple occasions, Malcolm has exposed himself to Desiree, however Desiree insists that he has never touched her nor asked her to touch him. Upon obtaining criminal history information on Malcolm, it is discovered that he was convicted of sexual exploitation five years ago for exposing himself to children in a neighboring county.

Tom:

Tom is the single parent of nine-year-old Darryl. Darryl's mother abandoned Darryl and Tom when Darryl was nine months old. The county agency took custody of Darryl after welts and bruises were discovered on Darryl's buttocks and legs. Neighbors allege that Tom physically disciplines Darryl using such implements as a belt and wooden paddle. The neighbors also indicated that, 15 years ago, Tom was convicted of killing his girlfriend. Through the investigation, the worker obtains a criminal history on Tom and discovers that he was convicted of involuntary manslaughter in the death of his girlfriend. He served six years in prison for the crime.

